

Section II:
AMENDMENT UNDER 37 CFR §1.121
REMARKS

Objections to the Figures

In the Office Action, the examiner has objected to Figures (unspecified) under 37 CFR 1.83(a) for failing to show the tapered flanges of the studs (as in claim 3). Applicant respectfully points out that said tapered flanges are shown in FIG. 9a and 9b and clearly labeled (27) in FIG. 9a. Applicant hereby requests that drawing objections be reconsidered.

Objections to the Claims

In the Office Action, the examiner has objected to claim 18 for reasons of lacking antecedent basis for recited elements/limitations symmetric recesses (and connectors). Examiner further assumed that claim 18 should depend from claim 17. Examiner is correct in this assumption and claim 18 has herein been amended to depend from claim 17. Applicant hereby requests that said objection be reconsidered.

Rejections under 35 U.S.C. §112

In the Office Action, the examiner has rejected claim 3 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, line 3 of claim 3 recites "said spine member" in reference to a feature on the recited flanged studs. Applicant has herein amended claim 3 by replacing the term "member" with the term "channel" thereby making the claim consistent with the rest of the disclosure and removing any indefiniteness or indistinctness. To the Examiner's last point regarding the limitations of claim 3 not being described in the specification or drawings, spine channel (12) is shown in FIGS. 3a, 5d, 5e, 5f, and 6.

Rejections under 35 U.S.C. §102(b)

In the Office Action, the examiner has rejected claim 1 under 35 U.S.C. §102(b) for lack of novelty as being anticipated by U.S. Patent Number 4,114,333. Claim 1 is hereby cancelled or

otherwise withdrawn. Claim 2 has been amended to be an independent claim and includes all elements and limitations included in original claim 1 and original claim 2.

In the Office Action, the examiner has rejected claim 4 under 35 U.S.C. §102(b) for lack of novelty as being anticipated by U.S. Patent Number 4,114,333. Claim 4 is herein amended to be dependent upon amended claim 2, thus including all limitations of original claim 2 and original claim 4.

In the Office Action, the examiner has rejected claim 5-6 under 35 U.S.C. §102(b) for lack of novelty as being anticipated by U.S. Patent Number 4,114,333. Claim 5 depends from claim 4 which has herein been amended as described supra. Likewise, claim 6 depends from claim 5, thus by virtue of amended claim 4, ultimately depends from amended claim 2.

The withdrawal of claim 1, and subsequent amendment of claims 2 and 4 - 6 overcome the rejection of claims 4 - 6 based upon 35 USC §102(b). Therefore, rejection is no longer supported by the cited art and its withdrawal is respectfully requested.

Rejections under 35 U.S.C. §103

In the Office Action, the examiner has rejected claims 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Number 4,114,333. Claim 13 has herein been amended to depend from claim 2. As described supra, claim 2 has herein been amended to be an independent claim and to include all elements and limitations included in original claim 1 and original claim 2. Likewise, claim 13 includes all elements and limitations of original claim 1, original claim 2 and original claim 13. Claim 14 has herein been cancelled or otherwise withdrawn.

The cancellation/withdrawal of claim 1; and subsequent amendment of claims 2 and 13 overcome the rejection of claims 13 based upon 35 USC §103(a). Therefore, rejection is no longer supported by the cited art and its withdrawal is respectfully requested.

Rejections under 35 U.S.C. §103

In the Office Action, the examiner has rejected claims 2, 9-12, 15, and 17-19 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent Number 7,073,302 in view of Jones (U.S. Patent Number 4,114,333).

The current application and U.S. Patent Number 7,073,302 were co-pending, share common inventorship, and share common ownership as both are assigned to Strawmen, L.P.

A terminal disclaimer under 37 CFR 1.321 and terminal disclaimer fee under 37 CFR 1.20(d) are included herewith, thus Applicant respectfully requests withdrawal of the current rejection.

Conclusion

In light of the amendments included herein and the terminal disclaimer filed herewith, it has been established that the rejections are no longer supported by the cited art. Further, the examiner's objections have been considered, and have been traversed with respect to the drawings and accommodated by amendment with respect to claim 18. Reconsideration of all rejections and traversed objections is hereby respectfully requested.